

PATENT
Docket No.: 4024-4008

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John Trezza

Serial No.: 09/896,797

Group Art Unit: 2872

Filing Date: June 29, 2001

Examiner: To Be Assigned

Title: REDUNDANT OPTICAL DEVICE ARRAY

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

I hereby certify that the attached:

1. Supplemental Information Disclosure Statement (3 pages in duplicate);
2. PTO Form 1449 (1 page);
3. Copy of eleven (11) references cited in PTO Form 1449;
4. PCT International Search Report (PCT/US02/20112) (1 page);
5. PCT International Search Report (PCT/US02/22091) (1 page);
6. PCT International Search Report (PCT/IUS02/22087) (1 page); and
7. Return postcard.


(along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner of Patents, Washington, DC 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date: January 24, 2003

By:


Richard Straussman
Reg. No. 39,847

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For : REDUNDANT OPTICAL DEVICE ARRAY

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

COMMISSIONER OF PATENTS
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:

2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.
4. ☐ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - ☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - ☐ 37 C.F.R. §1.97(b)(4), before the mailing date of a first office action after the filing of an RCE under §1.114.

PATENT

Docket No. 4024-4008

5. ☒ **No fee is due under 37 C.F.R. §1.17(p) for this Supplemental Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.**
6. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee.
- ☐ Charge the fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7. ☐ A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
- b. the fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 below.
8. ☐ This Information Disclosure Statement is being filed in compliance with:
- a. ☐ 37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
- b. ☐ 37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
- c. ☐ The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9. ☒ **I hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.**

PATENT

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- ☐ I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☒ **This document is accompanied by ☒ a Search Report ☐ Communication which was cited in a corresponding ☒ PCT or ☐ Foreign counterpart application**
11. ☐ A check in the amount of \$ _____ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).
- ☐ Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ **The Commissioner is hereby authorized to charge any additional fees which may be required for this Supplemental Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4024-4008. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.**

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

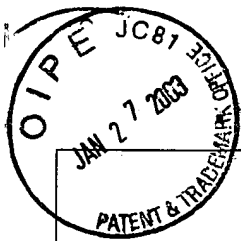
Dated: January 24, 2003

By: _____

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:
4024-4008Serial No.
09/896,797Applicant(s)
John TrezzaFiling Date:
June 29, 2001Group Art Unit:
2872

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Issue Date	Name	Class	Sub-Class	Filing Date
	5,521,734	May 28, 1996	Frigo			December 30, 1994
	5,861,968	January 19, 1999	Kerklaan et al.			September 5, 1996
	5,909,294	June 1, 1999	Doerr et al.			May 16, 1997
	5,912,997	June 15, 1999	Bischel et al.			June 16, 1997
	5,946,130	August 31, 1999	Rice			October 3, 1997
	5,991,479	November 23, 1999	Kleinerman			October 23, 1997
	6,118,908	September 12, 2000	Bischel et al.			June 15, 1999
	6,136,623	October 24, 2000	Hofstetter et al.			May 6, 1998
	Publication No. US 2001/0030782 A1	Publication Date: October 18, 2001	Trezza			December 8, 2000
	6,317,235	November 13, 2001	Hamilton			August 28, 1998
	Publication No.: US 2002/0051268 A1	May 2, 2002	Tonehira et al.			February 19, 2001

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation

OTHER DOCUMENTS (continued)

	International Search Report dated November 12, 2002
	International Search Report dated December 13, 2002
	International Search Report dated December 17, 2002
Examiner	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	